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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,959	06/23/2003	Chang-Hyeon Lee	050324-1321	8906

24504 7590 07/02/2004

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EXAMINER

CUNNINGHAM, TERRY D

ART UNIT	PAPER NUMBER
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2816

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

10/601,959

Applicant(s)

LEE ET AL.

Examiner

Terry D. Cunningham

Art Unit

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: 31 and 33-37.

Claim(s) rejected: 1-11, 13-25, 28-30, 32 and 38.

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☐ Other: _____

Terry D. Cunningham
Primary Examiner
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Drawings

Examiner has considered Applicant's remarks for the drawing objection and has not found them to be persuasive. Contrary to Applicant's remarks, it would have been clear to one skilled in the art that, due to the direction of the area, that transistor 362 of Figs. 3A and 3B is in fact shown as an N-channel and that transistor 364 is in fact shown as a P-channel. Similar, due to the direction of the arrows for the remaining transistors, such are deemed to be improperly shown. Thus, the drawing objections have not been overcome.

Specification

The amendment to the specification has not been approved. Such still is not consistent with what would be understood by one skilled in the art or with the above discussion concerning the drawings.

Claim Rejections - 35 USC § 112

The rejection to the claims under 35 U.S.C. § 112, first paragraph has been overcome.

With respect to the rejection under 35 U.S.C. § 112, second paragraph, Examiner responds by stating it is not understood how this is an issue of lexicography. There are no terms at issue for which there is a specific, new or special definition provided for in the specification. Further, Applicant can be his/her own lexicographer only if the use of such is not repugnant to the known meaning. Clearly, referring to all of these elements as "output nodes" or "output signals" would be seen by one skilled in the art as repugnant to the known meaning.

Claim Rejections - 35 USC § 102

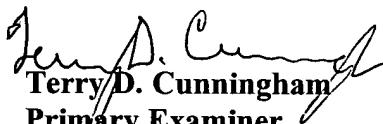
Examiner has fully considered Applicant's remarks for the above rejection and has not found them to be persuasive. Applicant states that "One skilled in the art should recognize that these are not **biasing signals**" and that Lee is "not focusing on the reference signal per se".

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However, Applicant provides no reasoning or evidence for this accusation. With respect to the “biasing signals”, it would appear that Applicant is too narrowly interpreting this phrase. As would be clearly understood by ones skilled in the art, a “biasing signal” for a transistor would be a signal for controlling the bias thereof. Clearly, these signals would provide control for the bias of the transistors. Also, Applicant’s statement that Lee is “not focusing on the reference signal per se” is not understood. It would appear that Applicant is making this accusation because these signals are not expressly stated to be “reference signals”. However, Examiner has already established for the record why it would be reasonable to consider these signals as “reference signals”.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TC
June 29, 2004


Terry D. Cunningham
Primary Examiner
Art Unit 2816